Government of Kerala
1976

Reg. No. KL/TV/12

# KERALA GAZETTE

## EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXI] Trivandrum, Friday, 23rd July 1976 / 1st Sravana 1898 [No. 441

GOVERNMENT OF KERALA

Law (Legislation-B) Department

NOTIFICATION

No. 20572-Leg. (B1)/75/Law. *Dated, Trivandrum, 23rd July, 1976/ 1st Sravana, 1898.*

The following Ordinance promulgated by the Governor on the 22nd day of July, 1976, is hereby published for general information.

By order of the Governor,

M. SEKHARAN,
*Law Secretary.*

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1976

33/3075/MC.

**ORDINANCE No. 8 OF 1976**

# THE KERALA COURT-FEES AND SUITS VALUATION (AMENDMENT) ORDINANCE, 1976

*Promulgated by the Governor of Kerala in the Twenty-seventh Year of the Republic of India.*

*AN*

*ORDINANCE*

*further to amend the Kerala Court-fees and Suits Valuation Act, 1959.*

*Preamble.*—WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Court-fees and Suits Valuation (Amendment) Ordinance, 1976.

(2) It shall come into force at once.

2. *Act 10 of 1960 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Court-fees and Suits Valuation Act, 1959 (10 of 1960) (hereinafter referred to as the principal Act), shall have effect subject to the amendment specified in section 3.

3. *Amendment of Schedule II.*—In Schedule II to the principal Act, in article 10, after clause (j), the following clause shall be inserted, namely:—

| | |
|---|---|
| "(jj)(i) Application under section 8 (1) of the Kerala Private Forests (Vesting and Assignment) Act, 1971 to the Tribunal constituted under that Act. | Ten rupees |
| (ii) Application to such Tribunal for an inter-locutory order. | Three rupees.". |

N. N. WANCHOO,
*GOVERNOR.*

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1976

Reg. No. KL/TV/12

# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. XXI] Trivandrum, Friday, 23rd July 1976 / 1st Sravana 1898 [No. 442

GOVERNMENT OF KERALA

**Law (Leg. A) Department**

NOTIFICATION

No. 10790-Leg. (A) 2/76/Law. *Dated, Trivandrum, 23rd July 1976/ 1st Sravana, 1898.*

The following Ordinance promulgated by the Governor on the 22nd day of July, 1976, is hereby published for general information.

By order of the Governor,

M. SEKHARAN,

*Law Secretary.*

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1976

33/3074/MC.

## ORDINANCE No. 9 OF 1976

# THE KERALA GENERAL SALES TAX (THIRD AMENDMENT) ORDINANCE, 1976

Promulgated by the Governor of Kerala in the Twenty-seventh Year of the Republic of India.

*AN*

*ORDINANCE*

*further to amend the Kerala General Sales Tax Act, 1963.*

*Preamble.*—WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala General Sales Tax (Third Amendment) Ordinance, 1976.

(2) It shall be deemed to have come into force on the 1st day of April, 1976.

2. *Act 15 of 1963 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala General Sales Tax Act, 1963 (15 of 1963) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 to 10.

3. *Amendment of section 5.*—In section 5 of the principal Act, in sub-section (1),—

(a) for the words "twenty thousand rupees", the words "twenty-five thousand rupees" shall be substituted;

(b) the proviso shall be omitted.

4. *Amendment of section 5A.*—In section 5A of the principal Act,—

(a) in sub-section (2), for the words "twenty thousand rupees", the words "twenty-five thousand rupees" shall be substituted;

(b) in sub-section (3),—

(i) for the words "twenty thousand rupees" and "twenty-five thousand rupees", the words "twenty-five thousand rupees" and "thirty thousand rupees" shall respectively be substituted;

(ii) the words, brackets and figure "clause (i) of" shall be omitted.

5. *Amendment of section 7.*—In section 7 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) Notwithstanding anything contained in sub-section (1) of section 5, every dealer whose total turnover in a year is not less than twenty-five thousand rupees but is not more than thirty thousand rupees may, at his option, instead of paying the tax in accordance with the provisions of that sub-section, pay tax at the rate of two per cent on his taxable turnover.";

(b) in sub-section (2), the words, brackets and figures "clause (i) or clause (ii) of" shall be omitted;

(c) in sub-section (4), the words, brackets and figure "clause (i) of" shall be omitted;

(d) in sub-section (5), the words, brackets and figure "clause (i) of", in both the places where they occur, shall be omitted.

6. *Amendment of section 13.*—In sub-section (1) of section 13 of the principal Act, for the words "twelve thousand five hundred rupees", the words "twenty-five thousand rupees" shall be substituted.

7. *Amendment of section 17.*—In section 17 of the principal Act, after sub-section (3), the following sub-sections shall be inserted, namely:—

"(4) Notwithstanding anything to the contrary contained in sub-sections (2) and (3), the assessing authority shall accept the return for the year 1975-76 or for any subsequent year submitted under sub-section (1) by any dealer whose total turnover for that year does not exceed one lakh rupees and assess the dealer on the basis of such return:

Provided that a return in which exemption from, or reduction in the rate of, tax or rebate or refund of tax has been claimed shall not be accepted unless it is accompanied by such documents

as may be prescribed for the purpose of verifying the genuineness of the claim for such exemption, reduction, rebate or refund, as the case may be:

Provided further that the provisions of this sub-section shall not apply if the total turnover mentioned in the return is less than the average of the total turnover as finally determined under this Act for the three years immediately preceding the year for which the return is submitted, by not less than ten per cent:

Provided further that this sub-section shall not apply in the case of a dealer who has been punished or on whom a penalty has been imposed for evasion of tax for the year for which the return has been submitted or against whom proceedings for evasion of such tax are pending before any authority.

(5) Where any dealer has been assessed under sub-section (4) for two consecutive years, the assessment of that dealer for the third consecutive year shall be made in accordance with the provisions of sub-section (3).

(6) For the removal of doubts, it is hereby clarified that nothing contained in sub-sections (4) and (5) shall be deemed to exclude the operation of section 19 or section 27 in the case of a dealer assessed under sub-section (4).".

8. *Amendment of section 18.*—In section 18 of the principal Act, after sub-section (3), the following sub-sections shall be inserted, namely:—

"(3A) If in the estimate of a dealer the amount of tax payable by him under this section for any quarter exceeds the amount of tax or the proportionate amount of tax demanded from him for that quarter by more than fifteen per cent of the latter amount, he shall, at any time before the date on which the next instalment of the tax is due from him, send to the assessing authority an estimate of—

(i) his taxable turnover for that quarter; and

(ii) the tax payable by him under this section for that quarter,

and shall pay such amount of tax, or, if the tax demanded from him for the said quarter has already been paid, the difference between such estimated amount of tax and the tax paid by him within such time as may be prescribed;

Provided that nothing contained in this sub-section shall apply in the case of a dealer falling under sub-section (4) of section 17.

(3B) Every estimate under sub-section (3A) shall be sent in the prescribed form and verified in the prescribed manner.".

9. *Amendment of First Schedule.*—In the First Schedule to the principal Act,—

(a) after Serial Number 56 and the entries relating thereto, the following shall be inserted, namely:—

| | | |
|---|---|---|
| "56A Rice products and wheat products | do. | 4. |

*Explanation.*—"Rice products" means parched, puffed or beaten rice and "wheat products" means maida, atta, suji, rava, resultant atta and bran.";

(b) after the proviso to Serial Number 72 and the entries relating thereto, the following proviso shall be inserted, namely:—

"Provided further that an authorised retail distributor appointed under the Kerala Rationing Order, 1966, shall not be liable to pay tax under this Act in respect of tapioca sold to ration card holders, whatever be his turnover.".

10. *Amendment of Third Schedule.*—In the Third Schedule to the principal Act, in item 12, the words "by a dealer whose total turnover in respect of such food is less than thirty-five thousand rupees in a year" shall be omitted.

N. N. WANCHOO,

*GOVERNOR.*

Government of Kerala
1976

Reg. No. KL/TV/19

# KERALA GAZETTE

## EXTRAORDINARY

### PUBLISHED BY AUTHORITY

Vol. XXI] Trivandrum, Friday, 23rd July 1976 / 1st Sravana 1898 [No. 443

## GOVERNMENT OF KERALA

**Public (SS) Department**

NOTIFICATION

No. 69136/SS2/76-1/PD. *Dated, Trivandrum, 23rd July 1976.*

The following is the revised Select List as approved by Government, of officers for promotion to the category of Section Officer in the Administrative Secretariat prepared by the Departmental Promotion Committee. This revises the Select List published in Notification No. 14338/SS2/76/PD dated 25th May 1976 in Kerala Gazette (Extraordinary) No. 321 dated 25th May 1976:—

SELECT LIST

1. Shri P. Y. George
2. " Josey Abraham
3. " P. V. Francis Xavier
4. " V. Vijayan
5. " P. Balakrishnan
6. " K. Sahadevan
7. " Peter Jacob John
8. " T. Ravindran
9. " P. Damodaran Nair
10. " S. Abdul Khadir
11. " Philip Abraham

33/3079/MC.

GOVERNMENT OF KERALA

**Public (SS) Department**

NOTIFICATION

No. 69136/SS2/76-2/PD. *Dated, Trivandrum, 23rd July 1976.*

The following is the Select List, as approved by the Government, of officers for appointment to the category of Section Officer in the Administrative Secretariat prepared by the Departmental Promotion Committee:

SELECT LIST

1. Shri V. Sreenivasan
2. ,, J. Jones
3. ,, G. Vibhukumar
4. ,, K. K. Damodaran
5. ,, P. Jayachandran Nair
6. ,, E. Vasudevan
7. ,, S. Abdul Azeez
8. Smt. J. Padmakumari
9. ,, C. P. Subhashini Amma
10. Shri N. Peethambaran
11. ,, T. K. Alex
12. Smt. N. Sarasamma
13. Shri P. K. Kurien
14. Smt. Kunjamma Varghese
15. Shri S. Padmanabha Iyer
16. ,, T. C. Sreedharan Pillai
17. Smt. P. Radha
18. Shri T. Viswanathan
19. ,, T. G. Gopinathan Nair
20. ,, R. Dharma Das
21. ,, K. Muthukrishnan Nair
22. ,, A. Krishnamoorthy
23. ,, P. Sreedharan Nair
24. ,, N. Krishnankutty Menon
25. ,, K. Sivaraman

ZACHARIA MATHEW,

*Special Secretary to Government*
*Public Department and*
*Convener,*
*Departmental Promotion Committee.*

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12. Smt. Anna T. Louis
13. Shri A. Mohammed Ismail
14. ,, M. Ramachandran Nair
15. ,, N. Sreenivasan
16. ,, K. R. Appukuttan Thampan
17. ,, V. Narayanan Nambiar
18. ,, K. Radhakrishnan
19. ,, A. G. Oommen
20. Smt. S. Bhagavathy Amma
21. Shri K. V. Sankunni Nair
22. Smt. Mary John
23. Shri P. A. Sakthidharan
24. ,, D. Haridas
25. ,, M. V. Balakrishnan
26. ,, R. Thyagarajan
27. ,, S. Chandrasekhara Pillai
28. ,, P. T. Oommaman Vydian
29. ,, V. T. Abraham
30. ,, M. J. Johnykutty
31. ,, N. Sukumaran Nair
32. ,, E. Bhargavan
33. ,, V. S. Perumal Pillai
34. ,, K. R. Janardhanan Nambiar
35. ,, V. K. Radhakrishna Varma
36. ,, T. P. Balakrishnan Nambiar
37. ,, T. R. Viswanathan
38. ,, M. K. Parameswara Kurup
39. ,, C. C. Joseph

ZACHARIA MATHEW,

*Special Secretary to Government*

*Public Department and*

*Convener,*

അത്ര തന്നെയോ, അതിൽ അൽപ്പം കുറവോ കൂടുതലോ ആയിരുന്നാലും വേണ്ടതില്ല. ഒരു പൊതുക്കാര്യത്തിന് അതായത് തിരുവനന്തപുരം മുതൽ എറണാകുളം വരെ ബ്രോഡ്ഗേജ് റെയിൽവേ ലൈൻ നിർമ്മിക്കുന്നതിന് ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പുപ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പു പ്രകാരം തിരുവനന്തപുരം റെയിൽവേ പൊന്നുംവില സ്പെഷ്യൽ തഹശീൽദാർ No. III എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു. ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്ടർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും കൂടി ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ തിരുവനന്തപുരം റെയിൽവേ പൊന്നുംവില സ്പെഷ്യൽ തഹശീൽദാർ No. III എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

*District*—Trivandrum. *Taluk*—Trivandrum.

*Village*—Kadakompally.

(The extent given is approximate)

*Description.*—Dry

| *Sl. No.* | *Survey No.* | *Sub Division No.* | *Extent* H. | A. | *Sq. m.* |
|---|---|---|---|---|---|
| 1 | 1899 | 11 | 0 | 09 | 01 |
| 2 | 1900 | 4 | 0 | 19 | 57 |
| 3 | 1908 | 4 | 0 | 05 | 26 |
| 4 | 1909 | 7 | 0 | 07 | 07 |
| 5 | 1909 | 8 | 0 | 07 | 00 |
| 6 | 1909 | 9 | 0 | 07 | 48 |
| 7 | 1909 | 10 | 0 | 20 | 24 |
| | | Total | 0 | 75 | 63 |

By order of the Governor,

N. R. AUGUSTINE,
*Joint Secretary to Government.*

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TRIVANDRUM, 1976